

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of J. Alexander Marchosky Art Unit 3627  
Serial No. 09/910,190  
Filed July 19, 2001  
Confirmation No. 1527  
For PATIENT-CONTROLLED AUTOMATED MEDICAL RECORD, DIAGNOSIS,  
AND TREATMENT SYSTEM AND METHOD  
Examiner Vanel Frenel

March 11, 2008

## **RESPONSE TO OFFICE ACTION**

TO THE COMMISSIONER FOR PATENTS,

SIR:

In response to the Office action mailed November 16, 2007, please consider the following remarks.

## **Status of Claims**

Claims 1-6 and 14-94 are pending. In the present Office action, the Office rejected claims 1-6 and 14-94. Applicant traverses these rejections for the reasons set forth below.

## **Response to Rejection under 35 U.S.C. §103**

Reconsideration of the rejection of claims 1-6 and 14-94 under 35 U.S.C. §103 is respectfully requested.

### Claims 1-6 and 14-32

Claims 1-6 and 14-32 stand rejected as being obvious in view of US Patent No. 5,772,585 (Lavin) in combination with US Patent Nos. 6,263,330 (Bessette), 6,523,009 (Wilkins) and 6,463,417 (Schoenberg).

Applicant has filed simultaneously herewith a Declaration of Prior Invention under 37 C.F.R. §1.131 to prove that the applicant's date of invention predates the earliest filing date of Schoenberg. Accordingly, Schoenberg cannot be used as prior art against